

07/26/99



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UTILITY PATENT APPLICATION TRANSMITTAL (Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))	Attorney Docket No.	DFG-1004.5 US
	First Inventor or Application Identifier	BRUCE K. REDDING, Jr.
	Title	PROCESS AND APPARATUS FOR PRODUCING DIETARY FIBER PRODUCTS
	Express Mail Label No.	EJ117815078 US

APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents.	ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231	
1. <input checked="" type="checkbox"/> * Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original and a duplicate for fee processing)	5. <input type="checkbox"/> Microfiche Computer Program (Appendix)	
2. <input checked="" type="checkbox"/> Specification [Total Pages <u>44</u>] (preferred arrangement set forth below) <ul style="list-style-type: none">- Descriptive title of the Invention- Cross References to Related Applications- Statement Regarding Fed sponsored R & D- Reference to Microfiche Appendix- Background of the Invention- Brief Summary of the Invention- Brief Description of the Drawings (if filed)- Detailed Description- Claim(s)- Abstract of the Disclosure	6. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) <ul style="list-style-type: none">a. <input type="checkbox"/> Computer Readable Copyb. <input type="checkbox"/> Paper Copy (identical to computer copy)c. <input type="checkbox"/> Statement verifying identity of above copies	
3. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets <u>6</u>]	ACCOMPANYING APPLICATION PARTS 7. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) 8. <input type="checkbox"/> 37 C.F.R. §3.73(b) Statement (when there is an assignee) <input type="checkbox"/> Power of Attorney 9. <input type="checkbox"/> English Translation Document (if applicable) 10. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations 11. <input type="checkbox"/> Preliminary Amendment 12. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized) 13. <input checked="" type="checkbox"/> * Small Entity Statement(s) <input type="checkbox"/> Statement filed in prior application, Status still proper and desired (PTO/SB/09-12) 14. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed) 15. <input type="checkbox"/> Other:	
4. Oath or Declaration [Total Pages <u>2</u>] <ul style="list-style-type: none">a. <input checked="" type="checkbox"/> Newly executed (original or copy)b. <input type="checkbox"/> Copy from a prior application (37 C.F.R. § 1.63(d)) (for continuation/divisional with Box 16 completed)<ul style="list-style-type: none">i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).		
* NOTE FOR ITEMS 1 & 13: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).		
16. If a CONTINUING APPLICATION , check appropriate box, and supply the requisite information below and in a preliminary amendment: <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input checked="" type="checkbox"/> Continuation-in-part (CIP) of prior application No: <u>08,988,758</u> Prior application information: Examiner <u>DREW BECKER</u> Group / Art Unit: <u>1761</u> For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.		

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Address	SYNNESTVEDT & LECHNER 1101 MARKET STREET, 26th FLOOR
City	PHILADELPHIA
State	PA
Zip Code	19107
Country	USA
Telephone	215 659-6687
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Name (Print/Type)	MARTIN SAVITZKY	Registration No. (Attorney/Agent)	29,699
Signature	<i>Martin Savitzky</i>	Date	July 26, 1999

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FEE TRANSMITTAL for FY 1999 <small>Patent fees are subject to annual revision. Small Entity payments <u>must</u> be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12. See 37 C.F.R. §§ 1.27 and 1.28.</small>		Complete if Known	
		Application Number	
		Filing Date July 26, 1999	
		First Named Inventor BRUCE K. REDDING, Jr.	
		Examiner Name	
		Group / Art Unit	
TOTAL AMOUNT OF PAYMENT		(\$) 640	
		Attorney Docket No. DFG-1004.5 US	

METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)																																																																																																																																																																																																																																																																																																																																																																																																																																																																							
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Large Entity		Small Entity		Fee Description	Fee Paid																																																																																																																																																																																																																																																																																																																																																																																																																																																																				
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103	18	203	9	Claims in excess of 20																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
102	78	202	39	Independent claims in excess of 3																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
104	260	204	130	Multiple dependent claim, if not paid																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
109	78	209	39	** Reissue independent claims over original patent																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
110	18	210	9	** Reissue claims in excess of 20 and over original patent																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
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105	130	205	65	Surcharge - late filing fee or oath																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
139	130	139	130	Non-English specification																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
147	2,520	147	2,520	For filing a request for reexamination																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
112	920*	112	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
115	110	215	55	Extension for reply within first month																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
116	380	216	190	Extension for reply within second month																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
117	870	217	435	Extension for reply within third month	435																																																																																																																																																																																																																																																																																																																																																																																																																																																																				
118	1,360	218	680	Extension for reply within fourth month																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
128	1,850	228	925	Extension for reply within fifth month																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
119	300	219	150	Notice of Appeal																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
120	300	220	150	Filing a brief in support of an appeal																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
121	260	221	130	Request for oral hearing																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
138	1,510	138	1,510	Petition to institute a public use proceeding																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
140	110	240	55	Petition to revive - unavoidable																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
141	1,210	241	605	Petition to revive - unintentional																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
142	1,210	242	605	Utility issue fee (or reissue)																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
143	430	243	215	Design issue fee																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
144	580	244	290	Plant issue fee																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
122	130	122	130	Petitions to the Commissioner																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
123	50	123	50	Petitions related to provisional applications																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
126	240	126	240	Submission of Information Disclosure Stmt																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
581	40	581	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
146	760	246	380	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
149	760	249	380	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
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SUBTOTAL (3) (\$) 435																																																																																																																																																																																																																																																																																																																																																																																																																																																																									

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	MARTIN SAVITZKY	Registration No. (Attorney/Agent)	29,699
Signature	<i>Martin Savitzky</i>	Telephone	215-659-6687
		Date	July 26, 1999

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

SEPARATE CHECK FOR PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Redding, Jr., Bruce K.; Harden, Jerome

Application No.: Filed herewith

Filed on: July 26, 1999

Title: PROCESS AND APPARATUS FOR PRODUCING DIETARY FIBER PRODUCTS

Assistant Commissioner for Patents
Washington, D.C. 20231

EXPRESS MAIL CERTIFICATE

"Express Mail" label number EJ117815078US

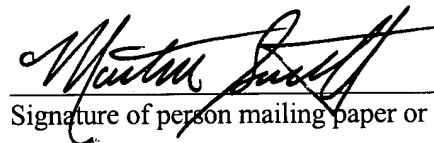
Date of Deposit: July 26, 1999

I hereby state that the following *attached* paper and fees

- 1 page Utility Patent Application Transmittal
- 44 pages of specification
- 3 pages of claims
- 1 page abstract
- 6 pages drawings
- 2 pages Declaration and Power of Attorney
- 1 page Small Entity Declaration
- 1 page Fee Transmittal plus duplicate
- Certificate of Express Mailing Label No. EJ117815078US dated July 26, 1999
- 1 Return Receipt Postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10, on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Martin F. Savitzky



Signature of person mailing paper or fee

(Express Mail Certificate)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Redding, Jr., Bruce K.; Harden, Jerome
Application No.: Filed herewith
Filed on: July 26, 1999
Title: PROCESS AND APPARATUS FOR PRODUCING DIETARY FIBER PRODUCTS

**STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(b))--SMALL BUSINESS CONCERN**

I hereby state that I am an official of the small business concern empowered to act on behalf of the concern identified below:

Delta Food Group, Inc.
100 Commerce Drive
Aston, PA 19014

I hereby state that the above identified small business concern qualifies as a small business concern, as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office under Sections 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby state that rights under contract or law have been conveyed to, and remain with, the small business concern identified above, with regard to the invention described in the specification filed herewith, with title as listed above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c), if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each such person, concern or organization having any rights in the invention is listed below:

No such person, concern, or organization exists.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. (37 CFR 1.28(b))

In re the Application of
Bruce K. Redding, Jr. and Jerome Harden

Serial No. 08/988,758


Filed: December 11, 1997

For: Process and Apparatus for Producing Dietary Fiber Products

Group Art Unit 1761

Examiner: Drew Becker

CERTIFICATE OF MAILING (37 CFR 1.10)


(Signature of person mailing paper)

Martin Savitzky
Reg 29,699